



Attorney Docket No.: 10003917-1

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: George J. HUDAK

Examiner: Buncha P. CHERRY

Serial No.: 09/825,048

Art Unit: 2872

Filed: April 3, 2001

For: METHOD AND APPARATUS FOR ATOMIC EMISSION SPECTROSCOPY

#9
Perkins
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TECHNOLOGY CENTER 2800

Box Non-Fee Amendments
Commissioner of Patents
Washington, D.C. 20231

RESPONSE

Sir:

Responsive to the January 9, 2003 Office Action, reconsideration of the above-identified application is respectfully requested.

REMARKS

Claims 1-20 remain pending.

A. The Office Action rejects claims 1-3, 7-10, 13-14 and 16-17 under 35 U.S.C. §103(a) as being unpatentable over Braymen in view of Partain, et al. This rejection is respectfully traversed.

The Office Action asserts that the claimed solid state power source coupled to the resonant cavity reads on laser 12 of Braymen and is described by column 5, line 23 of Braymen. This assertion is respectfully traversed. Braymen discloses only that laser 12 produces laser light that is coupled through fused silica fiber optics 16 (col. 5, line 6) through optics 22 into oblation cell 20 to oblate material 14 (col. 5, line 36-37). After that, there is no more laser light to couple anywhere.

The Office Action asserts that the inductively coupled plasma (ICP) source 32 described by Braymen is the claimed resonant cavity. However, there is no disclosure that the ICP source 32 is a resonant cavity. The Office Action then further asserts that "Partain, et al. discloses the resonant cavity to excite resonant oscillations in the resonant cavity (see column 9, lines 19-52)." By this argument, the Office Action appears to be asserting that the ICP plasma source 32 of Braymen is modified according to the teachings of Partain, et al. to be microwave resonant cavity 32 of Partain et al.